

EXHIBIT “17”

Page 1

1
2 UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

3 -----X
4 GOVERNMENT EMPLOYEES INSURANCE COMPANY, et
al.,

PLAINTIFF,

5
6 -against- Civil Action No.:
1:22-cv-02965-EK-LB

7
8 MARK H. VINE, M.D., et al.

DEFENDANT.

9 -----X
10 GOVERNMENT EMPLOYEES INSURANCE COMPANY, et
al.,

PLAINTIFF,

11
12 -against- Civil Action No.:
1:22-cv-02834-PKC-MMH

13
14 ELENA BORISOVNA STYBEL, D.O., et al.

DEFENDANT.

15 -----X
16 GOVERNMENT EMPLOYEES INSURANCE COMPANY, et
al.,

PLAINTIFF,

17
18 -against- Civil Action No.:
1:22-cv-03804-ARR-RLM

19
20 SERGEY KALITENKO, M.D., et al.

DEFENDANT.

21 -----X
22 DATE: March 29, 2023
23 TIME: 12:30 P.M.

24
25 (DEPOSITION of PARESH VEDAWALA)

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DATE: March 29, 2023

TIME: 12:30 P.M.

DEPOSITION of a Non-Party Witness,
PARESH VEDAWALA, taken by the Plaintiff,
pursuant to a Subpoena and to the Federal
Rules of Civil Procedure, held at the
offices of Rivkin Radler LLP, 477 Madison
Avenue, Suite 410, New York, New York
10022, before Enrique Alvarado, a Notary
Public of the State of New York.

A P P E A R A N C E S:

RIVKIN RADLER, LLP

Attorneys for the Plaintiff
926 RXR Plaza West Tower, 9th Floor
Uniondale, New York 11556
BY: MICHAEL VANUNU, ESQ.
michael.vanunu@rivkin.com

LAW OFFICE OF JONATHAN SAVELLA

Attorneys for the Defendant
MARK H. VINE, M.D.
40 Exchange Place, Suite 1800
New York, New York 10005
BY: JONATHAN SAVELLA, ESQ.
Jon@jonathansavella.com

THE MEAD LAW FIRM, P.C.

Attorneys for the Defendant
SERGEY KALITENKO, M.D.
3033 Brighton 3rd Street
Brooklyn, New York 11235
BY: WESLEY ROBERT MEAD, ESQ.
Wmeadlaw@gmail.com
(Via video conference)

BRACH EICHLER LLC

Attorneys for Paresh Vedawala
101 Eisenhower Parkway
Roseland, New Jersey 07068
BY: KONSTANTINE PASCHALIDIS, ESQ.

ALSO PRESENT:

Alison Stapleton, Esq.
Rivkin Radler, LLP

F E D E R A L S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED by and between the counsel for the respective parties herein that the sealing, filing and certification of the within deposition be waived; that the original of the deposition may be signed and sworn to by the witness before anyone authorized to administer an oath, with the same effect as if signed before a Judge of the Court; that an unsigned copy of the deposition may be used with the same force and effect as if signed by the witness, 30 days after service of the original & 1 copy of same upon counsel for the witness.

IT IS FURTHER STIPULATED AND AGREED that all objections except as to form, are reserved to the time of trial.

* * * *

1 P. VEDAWALA

2 P A R E S H V E D A W A L A, called as a
3 witness, having been first duly sworn by a
4 Notary Public of the State of New York, was
5 examined and testified as follows:

6 EXAMINATION BY

7 MR. VANUNU:

8 Q. Please state your name for the
9 record.

10 A. Paresh Vedawala.

11 Q. What is your address?

12 A. 580 Fifth Avenue, New York, New
13 York 10036.

14 (Whereupon, Government
15 Employees Insurance Co. v. Mark H.
16 Vine, M.D. Subpoena was marked as
17 Exhibit 1 for identification as of
18 this date by the Reporter.)

19 (Whereupon, Government
20 Employees Insurance Co. v. Elena
21 Borisovna Stybel, D.O. Subpoena was
22 marked as Exhibit 2 for
23 identification as of this date by the
24 Reporter.)

25 (Whereupon, Government

1 P. VEDAWALA

2 Employees Insurance Co. v. Sergey
3 Kalitenko M.D. Subpoena was marked as
4 Exhibit 3 for identification as of
5 this date by the Reporter.)

6 (Whereupon, Copy of Blue Tech
7 and Sunstone Records was marked as
8 Exhibit 4 for identification as of
9 this date by the Reporter.)

10 (Whereupon, Blue Tech Services
11 Statement Summary was marked as
12 Exhibit 5 for identification as of
13 this date by the Reporter.)

14 MR. PASCHALIDIS: There was an
15 updated topic subject matter list
16 sent on Friday. I had a personal
17 emergency on Friday, a family issue.
18 We did not get it to the witness
19 until this week.

20 I don't want to be accused of
21 not having the right witness or that
22 the witness was unprepared for these
23 topics. I noticed that there were
24 additional companies that weren't
25 disclosed.

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P. VEDAWALA

I asked the witness to leave so as not to suggest potential answers to him but I would be surprised if he was well aware of these topics because we didn't provide them to him until very recently.

So just in good faith to let Mr. Vanunu know that if that is an issue, we can notice another deposition and come back for those topics because we just didn't have time to prepare for them.

MR. VANUNU: Due to the timing, I understand the inability to properly prepare the witness for the updated 30(b)(6) rider that was sent in regard to the subpoena in Government Employees Insurance Company versus Sergey Kalitenko. The updated rider was only sent with respect to that subpoena on that case.

Should there be further inquiry with respect to the items listed on

1 P. VEDAWALA

2 that rider, we will have a
3 conversation and work in good faith
4 with Counsel to discuss what the
5 possible next steps will be should
6 that case continue to go forward and
7 those issues go forward.

8 But for the purposes of
9 efficiency, we're hoping to get as
10 much done in this deposition as
11 possible, which is why we are
12 scheduling currently having three
13 nonparty depositions on three
14 different cases, for the same
15 corporation, proceeding at the same
16 time, for efficiency purposes.

17 And to that end, while the
18 witness is out, I'll put on the
19 record that this deposition is
20 pursuant to subpoena. There were
21 three subpoenas issued. Each
22 subpoena is issued as Exhibit 1, 2
23 and 3 respectively.

24 The cases are Government
25 Employees Insurance Company versus

1 P. VEDAWALA

2 Mark H. Vine, M.D., et al.,
3 Government Employees Insurance
4 Company versus Elena Borisovna
5 Stybel, et al., and Government
6 Employees Insurance Company versus
7 Sergey Kalitenko M.D. et al.

8 Each subpoena is directed to
9 Kush Gold & Jewelry, doing business
10 as Ruchi Gems. Each subpoena --
11 there's overlapping issues with
12 respect to the contents of the
13 information therein and there are
14 overlapping questions, which is why,
15 for efficiency purposes, we have
16 decided, with the consent of Counsel,
17 for Ruchi Gems to conduct this
18 deposition at once as relates to all
19 three cases.

20 All parties that have appeared
21 on all three actions have been
22 notified. As to this deposition, one
23 party's attorney is present, one
24 party's attorney in the Mark Vine
25 case and the Elena Stybel did not

1 P. VEDAWALA

2 appear, and one party for the
3 Defendant's Counsel in the Sergey
4 Kalitenko case is aware of this and
5 has indicated he may attempt to
6 appear later on at the deposition via
7 Zoom. With that, I'm ready to
8 proceed if you are.

9 MR. PASCHALIDIS: Yes. Let me
10 go grab the witness. Thank you.

11 Q. Good afternoon, Mr. Vedawala.
12 My name is Michael Vanunu and I'm an
13 attorney representing GEICO in three
14 separate cases where subpoenas were issued
15 to Kush Gold & Jewelry Inc., that does
16 business as Ruchi Gems. Are you here
17 testifying on behalf of Kush Gold &
18 Jewelry?

19 A. Yes.

20 Q. And what is your position as it
21 relates to Kush Gold & Jewelry?

22 A. Title, president.

23 Q. I'm just, for the sake of
24 brevity, going to call the company Kush.
25 Okay?

1 P. VEDAWALA

2 A. Yeah.

3 Q. I'm going show you what's been
4 marked as Exhibit 1. This is the subpoena
5 issued to Kush in the Government Employees
6 Insurance Company against Mark Vine case.
7 Have you seen this subpoena before?

8 A. Yes.

9 Q. And you're aware that this
10 subpoena asked for someone on behalf of
11 Kush to appear, correct?

12 A. Yes.

13 Q. And testify as to certain
14 topics, correct?

15 A. Correct.

16 Q. If I can turn your attention to
17 page 4 of this subpoena. Do you see that
18 rider A?

19 A. Yes.

20 Q. Are you the person on behalf of
21 Kush who is best available to discuss those
22 topics at this deposition?

23 A. Yes.

24 Q. I'm going to direct your
25 attention now to Exhibit 2. I'm showing

1 P. VEDAWALA

2 you what has been marked as Exhibit 2,
3 which is the subpoena that was issued to
4 Kush in the Government Employees Insurance
5 Company versus Elena Stybel case.

6 A. Yes.

7 Q. Are you aware of this subpoena?

8 A. Yes.

9 Q. And are you the person who is
10 here testifying on behalf of Kush as
11 relates to this subpoena?

12 A. Yes.

13 Q. And I'm going to direct your
14 attention also to the rider in this
15 subpoena, which is also on page 4, that
16 identifies topics for the corporate
17 representative of Kush to testify to. Do
18 you see those topics?

19 A. Yes.

20 Q. Those topics are virtually
21 identical to those in the first exhibit
22 subpoena, correct?

23 A. Correct.

24 Q. Are you the person who is here
25 to testify on behalf of those topics?

1 P. VEDAWALA

2 A. Yes.

3 Q. I'm going to show you what's
4 been marked as Exhibit 3. That is a
5 subpoena in the Government Employees
6 Insurance Company versus Sergey Kalitenko
7 case. Are you aware of this subpoena as
8 well?

9 A. Yes.

10 Q. And in this subpoena also
11 there's a rider as it relates to corporate
12 topics. Now sir, I'm going to advise you
13 that this rider has been updated as of last
14 week to update more topics as it relates to
15 the corporate representative of Kush Gold.
16 Do you see that?

17 A. Yes.

18 Q. On page 4 of Exhibit 3. Are
19 you the person on behalf of Kush who would
20 be best able to testify as to those topics?

21 A. This we received recently.

22 Q. Yes. That I understand that
23 you may not be fully aware as to some of
24 those individuals on there because it was
25 updated. The question being would there be

1 P. VEDAWALA

2 anyone else at Kush who would have more
3 knowledge of those individuals identified
4 there than you?

5 MR. PASCHALIDIS: Objection.

6 You can answer.

7 Q. You can answer.

8 A. I can answer?

9 Q. Yes.

10 A. But today I will answer this.

11 Q. I'm just asking whether there's
12 someone there at Kush that would have more
13 knowledge about those individuals than you?

14 And I understand right now that
15 because you were only advised of certain
16 additional names last week, you may not
17 have the full information available for
18 your disposal here today.

19 A. Yes, I will be able to answer
20 this.

21 Q. Okay. Now sir, I'm going to go
22 over the rules of the deposition. First,
23 of all, have you ever testified at a
24 deposition before?

25 A. No.

1 P. VEDAWALA

2 Q. The rules are fairly simple.
3 We have a wonderful court reporter here who
4 takes down everything we say. He is the
5 most important person in the room because
6 without him, we will have no record of what
7 our conversations are here today.

8 So the first rule, and the
9 golden rule, is to make sure that we talk
10 slowly and that we don't interrupt each
11 other. I personally have a very bad habit
12 of interrupting people. I will try my best
13 not to interrupt you and I ask you to do
14 the same for the purpose of the record here
15 today. Okay?

16 A. Okay.

17 Q. The second rule for depositions
18 is every time I ask you a question, you may
19 instinctively nod your head or move your
20 head to answer the question but we will
21 need verbal answers from you. Do you
22 understand? Like a yes, or no, or some
23 other answer to the question.

24 A. Yes.

25 Q. To the extent that you don't

1 P. VEDAWALA

2 understand my question at all, please let
3 me know and I'm happy to rephrase the
4 question. Okay?

5 A. Okay.

6 Q. Your attorney may object to
7 various forms or various contents of my
8 questions to you. Unless your attorney
9 directs you not to answer the question,
10 even though he is objecting to the
11 question, you can still answer the
12 question. Do you understand?

13 A. Yes.

14 Q. If at any time you want to take
15 a break, and speak with your lawyer, we're
16 happy to take a break. If you need a
17 bathroom, or any other break, just let me
18 know and we can take a break.

19 The only caveat to that rule is
20 if I've asked you a question, we first need
21 to have an answer to the question, or I
22 have to withdraw my question before we take
23 a break. We can't take a break in the
24 middle of a question and answer.

25 A. Okay.

1 P. VEDAWALA

2 MR. PASCHALIDIS: I just want
3 to say subject to any potential
4 privilege issues but otherwise that's
5 fine.

6 A. Okay.

7 Q. Are you aware, sir, here that
8 your testimony is under oath?

9 A. Yes.

10 Q. The same oath that you would be
11 taking if you were to take the stand in a
12 courtroom and testify?

13 A. Correct.

14 Q. Are you under the influence of
15 any drugs or alcohol that would impair your
16 ability to testify right now?

17 A. No.

18 Q. Prior to today, have you spoken
19 with anyone in preparation for this
20 deposition, aside from your attorneys? I'm
21 not asking about anything with your
22 attorney. I'm talking about if you spoke
23 with anyone else.

24 A. Family.

25 Q. And which specific family

1 P. VEDAWALA

2 members did you speak with?

3 A. Wife and kids.

4 Q. Anyone else?

5 A. No.

6 Q. Did you talk to them about the
7 fact that there was a deposition, or the
8 underlying contents of the deposition, or
9 both?

10 A. To my son in detail; to my
11 wife, in general.

12 Q. The last instruction I want to
13 remind you, for the purposes of the
14 deposition, is that I may ask you for
15 questions that may call for an
16 approximation, that may call for your best
17 estimate but I don't want you to guess.
18 Okay?

19 A. Okay.

20 Q. If there's an answer to a
21 question that you can't answer, that you
22 have to guess to, let me know and I'll be
23 happy to rephrase for the question or
24 change the question. Okay?

25 A. Okay.

1 P. VEDAWALA

2 Q. Now what do you for a living?

3 A. Jewelry business.

4 Q. How long have you been in the
5 jewelry business?

6 A. 26 years.

7 Q. And have you always had your
8 own store or have you worked for others
9 while working in the jewelry business?

10 A. I worked for others.

11 Q. You indicated earlier that you
12 were the president of Kush. How long has
13 Kush been in business for?

14 A. I opened it up.

15 Q. How long ago?

16 A. 2002. I don't know the month.

17 Q. And has it been operating
18 regularly since 2002 or was there any large
19 breaks of time?

20 A. No breaks.

21 Q. Besides working at Kush, from
22 2002 to the present, have you worked
23 anywhere else?

24 A. No.

25 Q. Does Kush specialize in any

1 P. VEDAWALA

2 sort of type of jewelry?

3 A. Mostly bullion.

4 Q. What do you mean?

5 A. Gold bullion PR24 carat.

6 Q. And for someone who is not
7 familiar with gold bullion, do you mean
8 like a gold bar or a gold coin? Is that
9 what gold bullion is?

10 A. Gold grains, gold bars, and
11 gold coins.

12 Q. So it is pure gold in various
13 forms?

14 A. Yes.

15 Q. And do you have a storefront?

16 A. A what?

17 Q. A storefront.

18 A. No.

19 Q. Just an office?

20 A. An office.

21 Q. And where is your office
22 located?

23 A. 580 Fifth Avenue, room 602.

24 Q. And how long have you been
25 there at 580 Fifth Avenue?

1 P. VEDAWALA

2 A. Current location at 602, since
3 2015, and same building, room 205, from
4 2002 to 2014, December.

5 Q. How big is your office, room
6 602?

7 A. 600 square feet.

8 Q. Do you work with anyone?

9 A. Currently myself.

10 Q. And for the time period of 2021
11 and 2022, was it just you and your son who
12 worked at Kush or were there other
13 individuals as well?

14 A. My son was not in 2020. He
15 joined in 2022.

16 Q. And in 2021, was it just you?

17 A. Yes. Part-time employees
18 count?

19 Q. Yes. How many part-time
20 employees do you have?

21 A. One.

22 Q. And what was your part-time
23 employee's name?

24 A. They're not working here
25 anymore.

1 P. VEDAWALA

2 Q. How many part-time employees
3 did you have between 2021 and 2022?

4 A. One.

5 Q. Is it the same person or did it
6 change?

7 A. It changed, two or three
8 persons.

9 Q. Specifically from July of 2021
10 to, let's say, June of 2022, how many
11 different part time people did you have?

12 A. At the time, we have one or
13 two. I have to get the records from my
14 office.

15 Q. And what was your -- do you
16 remember the names of your part-time
17 employees or no? What were the names?

18 A. Farhad.

19 Q. Can you spell that please?

20 A. F-A-R-H-A-D and Dharmistha,
21 D-H-A-R-M-I-S-T-H-A, and I don't remember
22 if my wife was on my payroll. What year, I
23 don't know. It was '21 or '22. I was
24 sick. '21 she was -- '20, she was. '21, I
25 don't remember. I have to find out with my

1 P. VEDAWALA

2 office.

3 Q. What were their
4 responsibilities?

5 A. Nothing major.

6 Q. Can you give me an example?

7 A. Writing books or depositing
8 checks.

9 Q. Would they ever interact with
10 clients?

11 A. No.

12 Q. Would they ever interact with
13 customers' orders?

14 A. No.

15 Q. Was it mostly administrative
16 work?

17 A. Yes.

18 Q. Can you explain to me how your
19 business works as it relates to gold
20 bullion? Like a customer comes in and what
21 would they want, to buy gold from you?

22 A. Yes.

23 Q. And then what would you do?

24 A. We take the payment. Once the
25 payment is clear, we deliver the gold after

1 P. VEDAWALA

2 that.

3 Q. Do you have the gold in stock,
4 do you get it from other companies?

5 A. After we received the order, we
6 buy from the companies.

7 Q. And are they miners or are
8 they --

9 A. Refineries.

10 Q. Do you consider yourself a
11 wholesaler in gold bullion?

12 A. Yes.

13 Q. What is your typical clientele?
14 Are they individuals, are they businesses,
15 are they other jewelry stores, are they
16 individuals who make jewels?

17 A. Mostly business owners.

18 Q. And how would you -- you
19 mentioned that you'll take an order, you'll
20 get the gold bullion from the refinery, and
21 then you will give it to the customer. In
22 what form would you give the gold to your
23 customers? Is there a single form? Are
24 there various forms?

25 A. Various forms.

1 P. VEDAWALA

2 Q. What are the forms that you
3 would give it to them in?

4 A. Bar, grain, or coins.

5 Q. How is it determined which form
6 you would give --

7 A. They're all 24 karat.

8 Q. I'm saying like how would you
9 give -- how would you know whether to give
10 it to your customer, the bullion, as a bar,
11 as a coin, or as grains? Would it be based
12 on their request, based on what you get
13 from the refinery, something else?

14 A. Based on the volume.

15 Q. Is there a specific way it's
16 provided based on the quantity of gold?

17 A. The amount of the purchase.
18 Depending on the amount of the purchase.

19 Q. So someone is buying, let's
20 say, one ounce of gold bullion, how would
21 you give to them?

22 A. With one ounce bar or one ounce
23 coin.

24 Q. And if it was, let's say,
25 20 ounces, how would it be?

1 P. VEDAWALA

2 A. We have ten-ounce grain bags so
3 we give them two of them.

4 Q. What can you do when you
5 receive gold bullion?

6 MR. PASCHALIDIS: Objection to
7 form. You can answer.

8 A. What can I do?

9 Q. I'm saying I come and I buy
10 gold bullion from you. Besides holding it
11 and keeping the gold bullion, what can you
12 do with gold bullion?

13 A. I don't understand your
14 question. If you buy from me and don't
15 take it?

16 Q. No, if I buy from you and I
17 take it, what can I do then with that gold?

18 MR. PASCHALIDIS: Same
19 objection. You can answer.

20 A. Whatever you want to do.

21 Q. Can you give me an example?
22 I'm just uneducated. That's why I'm trying
23 to understand.

24 A. Make a jewelry, or keep for
25 investment, or a gift to the family.

1 P. VEDAWALA

2 Q. Are there, in addition to
3 selling gold bullion, do you buy pure gold
4 bullion from customers as well or no?

5 A. Known customers.

6 Q. Known customers?

7 A. Retail stores.

8 Q. Are there other -- are there
9 individuals in your industry who specialize
10 in the purchase of gold bullion from
11 customers and convert that to cash?

12 MR. PASCHALIDIS: Objection.

13 You can answer.

14 A. I have no idea.

15 Q. Do you know of anyone that buys
16 gold for cash?

17 A. I don't know that.

18 Q. Do you have a process by which
19 you advertise or get clientele?

20 A. Never advertised.

21 Q. So how do you get customers?

22 A. Word of mouth.

23 Q. When you get a new customer, do
24 you vet them at all, or look into them or
25 conduct any, I guess, research on them?

1 P. VEDAWALA

2 A. No. When they buy we want to
3 make sure the payment is correct.

4 Q. And how do you that?

5 A. If there's a wire, we see the
6 wire came in to the bank; we can confirm
7 same day.

8 Q. What about --

9 A. If it's a check, we wait until
10 it clears.

11 Q. And how long do you wait until
12 it clears?

13 A. Minimum three days.

14 Q. And do you take personal checks
15 as a form of payment?

16 A. Yes.

17 Q. Have you taken personal checks
18 from individuals that you don't know as a
19 form of payment?

20 A. I think, yes.

21 Q. And in that instance, when you
22 are taking a personal check from, let's
23 say, a new customer that you don't know,
24 how long would you wait for the check to
25 clear?

1 P. VEDAWALA

2 A. If unknown person, one week
3 maximum.

4 Q. Do you ever ask your customers
5 how you were referred to me, new customers?

6 A. Normally they give a name but I
7 don't note it down.

8 Q. Do you remember generally which
9 customers have introduced other people to
10 you?

11 A. Sometimes.

12 Q. Now do you recall being
13 provided with a subpoena in this case for
14 documents in the Mark Vine case? Do you
15 recall that at the end of year?

16 A. In December?

17 Q. In December, getting a subpoena
18 for records.

19 A. I provided.

20 Q. Right. Do you remember getting
21 a subpoena for records?

22 A. Yes.

23 Q. And do you remember there was
24 documents that Kush provided in response to
25 the subpoena?

1 P. VEDAWALA

2 A. I remember.

3 Q. I'm going to show you what's
4 been marked for identification as
5 Exhibit 4.

6 A. What I seen in here? Is this
7 the document --

8 MR. PASCHALIDIS: There's no
9 question pending. This is just a
10 marked exhibit. There's no question.

11 A. Do I remember I provided this?

12 Q. Hold on. I have to ask a
13 question first. I'm going to ask you to
14 look at that exhibit quickly and then let
15 me known when you're done looking at it.

16 A. Okay.

17 Q. I'm going to represent to you
18 that Exhibit 4 is a copy of records that
19 was provided in response to GEICO's
20 subpoena in the Mark Vine case, regarding
21 records related to Blue Tech and Sunstone.
22 Does this exhibit look to be those records?

23 A. Yes.

24 Q. Were you the person on behalf
25 of Kush who pulled these records to be

1 P. VEDAWALA

2 provided?

3 A. Yes.

4 Q. And are these records invoices
5 of transactions that were conducted by
6 Kush?

7 A. Yes.

8 Q. And is it the regular practice
9 of Kush Jewelry to create an invoice every
10 time that there's an order?

11 A. After we receive the check.

12 Q. Were these invoices created as
13 part of the regular course of Kush Gold's
14 business?

15 A. Yes.

16 Q. And were these invoices created
17 at or around the time on the date that's
18 listed on each invoice?

19 A. Yes.

20 Q. Now how is it -- can you take
21 me through the process of when a new, or
22 when a customer comes in, and wants to buy
23 gold bullion, what is the first thing that
24 you do when someone comes to you and says
25 they want to buy gold bullion?

1 P. VEDAWALA

2 A. I take the order.

3 Q. And what's part of the order?

4 A. The gold bullion.

5 Q. Are there any questions you ask
6 about the order, such as how much do you
7 want to spend, how much weight you want to
8 buy? What information would you get as
9 part of the order process?

10 A. It depends on the value of the
11 amount, wire or check. We look at the
12 price and add payment on it and give that
13 amount in gold.

14 Q. And by amount, you mean the
15 weight of gold?

16 A. Amount of the check divided by
17 the price and look at the weight of the
18 gold.

19 Q. Do customers come in telling
20 you for amounts or do they give you a
21 dollar amount telling you how much they
22 want to spend to buy gold?

23 A. Sometimes they give you gold
24 amount, sometimes they give you money
25 amount, whatever the check is.

1 P. VEDAWALA

2 Q. And so what do you do after you
3 calculate the weight and the dollar amount
4 of the purchase?

5 A. What I do?

6 Q. What is the next step in the
7 process of making your purchase of your
8 sale transaction?

9 A. We receive the order, we place
10 the order with our supply, we go back to
11 back.

12 Q. What do you mean by back to
13 back?

14 A. We do not take position and
15 don't sell. Whatever the order we have, we
16 buy that much amount of the gold.

17 Q. Do you keep any gold in your
18 store?

19 A. Yes.

20 Q. In what circumstances would
21 you --

22 A. One second, sorry.

23 Q. Sure, no problem. What are the
24 circumstances that you would go for the
25 manufacturer versus the circumstances that

1 P. VEDAWALA

2 you would use gold to sell to customers
3 that you're keeping at your store?

4 A. If a person needs a gold
5 delivery right away, I give from my stock
6 but I have purchased in the morning, which
7 I get my delivery after 3:00, so I just buy
8 back, replace my stock.

9 Q. Do you have customers that come
10 and buy gold with cash?

11 A. Sometimes during Festival of
12 Diwali.

13 Q. That's typically when people
14 buy gold in cash?

15 A. One bar, two bars, 1 ounce gold
16 bars.

17 Q. At what point in your process
18 do you create the invoice, such as the ones
19 that are shown in Exhibit 4?

20 A. The value is 74,000 of the
21 check.

22 Q. Hold on. My question is at
23 what point in the process of taking the
24 order do you create your invoice? So
25 someone would come in with an order wanting

1 P. VEDAWALA

2 to buy gold. At what point do you create
3 your invoice?

4 A. I want to give you a little
5 detail.

6 Q. Sure.

7 A. That is called London PM fix.

8 Q. What is that?

9 A. That is gold price comes out
10 declared in the day.

11 Q. Okay.

12 A. At that time, when the daylight
13 savings time is not in effect, it comes out
14 in 10:00 a.m. USA time. So I get the
15 orders ahead of the London PM time that I
16 want to buy \$50,000 worth of gold. So
17 whatever their price is, I add my premium
18 on it and create the invoice that much you
19 bought.

20 Q. Base on the rate of the London
21 PM fix?

22 A. Yes.

23 Q. And that's the rate that you
24 would use to create your invoice?

25 A. That was the rate to sell the

1 P. VEDAWALA

2 gold.

3 Q. That is your process that you
4 used here with respect to the invoices
5 that's in front of you in Exhibit 4?

6 A. Most, about 95 percent, of this
7 are the same.

8 Q. You said about 95. Is there
9 another way that you create invoices?

10 A. When I say 95 percent, I want
11 to check my records which is not on the PM
12 fix so just in case if there is not on PM
13 fix, I would have to look in my books what
14 was that price that day.

15 Q. So sometimes you use a
16 different price that's not the PM fix?

17 A. We call it spot trading.

18 Q. And that's the price of gold at
19 that exact moment?

20 A. Yes. Customer have to agree
21 that price.

22 Q. And so whether it's the PM fix
23 or the spot trading price that's agreed
24 upon, that price is listed in the invoice?

25 A. Correct.

1 P. VEDAWALA

2 Q. Is the invoice created the day
3 that the orders are provided, the orders
4 are made?

5 A. After London PM fix comes out,
6 we create the invoice with the quantity.

7 Q. And then are these invoices
8 created on the computer?

9 A. Yes.

10 Q. And do you create them with the
11 customer in front of you or usually after
12 the customer leaves?

13 A. We did not. We create in our
14 office; customers are not there all the
15 time.

16 Q. Do you take orders by ways of
17 other methods besides a customer coming in
18 to your office?

19 A. On the phone.

20 Q. So some customer can call you
21 and say they want to place an order?

22 A. Most of the time.

23 Q. And have you met with new
24 customers over the phone as well?

25 A. Yes.

1 P. VEDAWALA

2 Q. And if a customer gives you a
3 commercial (sic) check, is that personal
4 check always personally provided to you, or
5 is it sometimes mailed in, or is it given
6 to you through other methods?

7 A. Sometime in the mail, sometime
8 by hand, sometimes with somebody else they
9 send it.

10 Q. So let's talk about these
11 invoices right now. These invoice relate
12 to two companies, Blue Tech and Sunstone.

13 A. Yes.

14 Q. How did you first get Blue Tech
15 as a customer or Sunstone as a customer?

16 A. In 2015, or '16, I think it's
17 2015, I met Eric. At that time I did not
18 know his last name.

19 Q. Where did you meet him?

20 A. Building number 8 in West 47 or
21 building number 18. I don't remember
22 exactly. It was 8 or 18.

23 Q. Was it a networking event or
24 was it --

25 A. Another gold trader.

1 P. VEDAWALA

2 Q. So can you just describe your
3 conversation with Eric when you first met?

4 A. Third person introduced both of
5 us.

6 Q. What was your understanding of
7 what Eric does?

8 A. I was trading with a third
9 person, he was trading with that person.

10 Q. Right and so when you first met
11 Eric and he was introduced, what was --

12 A. That person introduced, then he
13 buys gold, you want to sell to him? He say
14 I buy gold, I want to buy. You want to
15 sell him.

16 Q. At that point in 2015 or 2016,
17 after you met Eric, did you start to sell
18 him gold?

19 A. After a week. After I met him
20 first time, after a week I started working
21 with him.

22 Q. So you started working with him
23 back in 2015 and 2016?

24 A. '16 or '15, I have to check.

25 Q. Something around there?

1 P. VEDAWALA

2 A. Yes.

3 Q. Long before 2021?

4 A. Yes.

5 Q. This Eric individual, did you
6 come to learn that his last name is
7 Maladsay (phonetic)?

8 A. Recently.

9 Q. And how did Eric come to take
10 orders from you or place orders with you
11 for gold?

12 A. Over the phone.

13 Q. Was it always over the phone?

14 A. Yes, mostly.

15 Q. And would he call you from his
16 cell phone?

17 A. I have three phone numbers
18 different.

19 Q. What are those phone numbers
20 that you have for Eric Maladsay?

21 A. (646)-877-6700. You need
22 another one?

23 Q. Yes, if you could give me all
24 of them please.

25 A. (718) 679-5562 and

1 P. VEDAWALA

2 (973) 818-1859. (646) 525-9907.

3 Q. And he would call you from
4 these numbers?

5 A. I don't know the sequence but
6 he will call me from either number to my
7 office, to my cell phone.

8 Q. Would it be him or someone on
9 his behalf or both?

10 A. Both.

11 Q. What was the most recent phone
12 number that you would use to contact him?

13 A. Recently I never received any
14 phone call.

15 Q. I understand that you haven't
16 received any phone calls from him recently.
17 Do you recall when the last time you spoke
18 to him, which number it was?

19 A. One of the 646.

20 Q. Was the last time you spoke to
21 him in 2022?

22 A. Yes, I believe.

23 Q. Did you ever speak to Eric
24 about any of the subpoenas that were issued
25 to you by myself?

1 P. VEDAWALA

2 A. No.

3 Q. Did you ever speak to Eric
4 about this deposition at all?

5 A. No.

6 Q. Did you ever speak to any of
7 Eric's agents, or someone associated with
8 Eric, about this deposition or the subpoena
9 for documents?

10 A. No.

11 Q. When Eric first came to
12 purchase gold for you, did he ever buy gold
13 in his own name or was it always through a
14 company?

15 A. A company.

16 Q. What were the names of the
17 companies that Eric used to purchase gold,
18 if you can recall?

19 A. I don't recall. I have find
20 out, go back to the office.

21 Q. Between 2021 and 2022, was
22 there any other companies that Eric used to
23 buy gold from you other than Blue Tech and
24 Sunstone?

25 A. I don't know.

1 P. VEDAWALA

2 Q. The invoices that you provided,
3 that's marked as Exhibit 4, were those all
4 of the invoices that were made for services
5 for gold that was purchased by Eric,
6 through Blue Tech and Sunstone, from 2021
7 of September through June of 2022?

8 MR. PASCHALIDIS: Objection.

9 You can answer.

10 A. I received the subpoena, I saw
11 the date, and I created the report, print
12 out the things.

13 Q. And by the report, you mean the
14 report that's listed there on -- there's
15 two reports, right? If you go to
16 Exhibit 4, there's --

17 A. Invoice reports.

18 Q. I'm going to show you in
19 Exhibit 4. Directing your attention to the
20 document Bates that's stamped KG000041.
21 Looking at this page and the next two pages
22 after that, is that the invoice report that
23 you're talking about?

24 A. Correct.

25 Q. And you have one invoice report

1 P. VEDAWALA

2 for Blue Tech supplies? I'm showing you
3 what's been marked Exhibit 4, document
4 Bates stamped KG00092 and KG00094. Is that
5 an invoice report for Sunstone?

6 A. Correct.

7 Q. Do those invoice reports fairly
8 and accurately describe all of the invoices
9 and payments to these companies?

10 A. Correct.

11 Q. Do these invoices summarize all
12 of the transactions that occurred on the
13 dates depicted on the summary?

14 A. Yes.

15 Q. Is it the regular course of
16 Kush's business to have the ability to
17 create summary invoices based on all the
18 invoices provided?

19 A. Yes.

20 Q. Do you use a computer system to
21 create invoices on these summary
22 statements?

23 A. Yes.

24 Q. What computer program do you
25 use?

1 P. VEDAWALA

2 A. QuickBooks.

3 Q. Looking here at these invoices
4 for Blue Tech and for Sunstone, when these
5 orders were taken, were they always
6 provided to you by Eric, or were they
7 provided to you by Eric and someone else,
8 or by someone else on Eric's behalf?

9 A. I never asked the name.

10 Q. Were they all orders by phone?

11 A. Mostly.

12 Q. Were there any orders by text
13 message or e-mails or anything like that?

14 A. No.

15 Q. Were there ever any orders
16 placed in person?

17 A. No. These or --

18 Q. For this time period.

19 A. No.

20 Q. For this time period of --

21 A. 2016, it was in person.

22 Q. And since then, it was always
23 by phone?

24 A. Yes.

25 Q. And in 2021 and 2022, all

1 P. VEDAWALA

2 orders by Eric would have been over the
3 phone?

4 A. Would have been.

5 Q. As you sit here today, you
6 can't remember an in-person order that Eric
7 placed in 2021 or 2022?

8 A. I don't remember that.

9 Q. In 2021 or 2022, did you ever
10 get an order over the phone on Eric's
11 behalf and the voice was not Eric?

12 A. I cannot say maybe so. I don't
13 know.

14 Q. So you take the order, you
15 created invoice, how would you get paid by
16 Eric?

17 A. Check.

18 Q. How would that check come?

19 A. Someone will bring the check to
20 pick up the previous order, which they are
21 waiting for checks to be cleared.

22 Q. So were there multiple orders
23 being placed at a time with Eric?

24 A. No. You place order today, you
25 give the check, you pick up the gold after

1 P. VEDAWALA

2 three days or next week, and then at time
3 of previous delivery they give the check.

4 Q. For that gold or for the next,
5 for another order.

6 A. For another order.

7 Q. For the new order?

8 A. Yes.

9 Q. But my question to you is you
10 were always getting paid in person during
11 pickup?

12 A. Yes.

13 Q. So the subsequent order would
14 be paid in person when it was picking up
15 the prior order?

16 A. Checks, payment means checks,
17 yeah.

18 Q. Let me just make sure that we
19 get this correct. I'm going to look at --
20 let's show you now here what's been marked
21 as Exhibit 5. This is your statement
22 summary, correct, in the beginning?

23 I want you to look through this
24 exhibit. Exhibit 5 is a copy of the
25 statement summary that was provided as it

1 P. VEDAWALA

2 relates to Blue Tech Services, invoices
3 that were provided, and sample checks that
4 were issued.

5 A. Yes.

6 MR. VANUNU: Off the record.

7 (Whereupon, an off-the-record
8 discussion was held.)

9 Q. So looking here, just from the
10 top, there's an order from September 30,
11 2021. Right?

12 A. Yes.

13 Q. And that was for \$160,000 of
14 gold bullion?

15 A. Correct.

16 Q. And then that payment, you see
17 on the date of September 30th, was for the
18 gold bullion?

19 A. Yes.

20 Q. And if you scroll here to the
21 fourth page and fifth page, you will see
22 that invoice that we were just talking
23 about from September 30, 2021 and a copy of
24 the check. Do you see that?

25 A. Yeah.

1 P. VEDAWALA

2 Q. Now this check would be
3 deposited in your account, correct, the one
4 on page 5?

5 A. Yes.

6 Q. Is that your handwriting on the
7 back?

8 A. No.

9 Q. Of the check?

10 A. No.

11 Q. Do you know whose handwriting
12 that is?

13 A. Not my handwriting.

14 Q. Would this check be deposited
15 -- sorry, going back to your order, would
16 this check have been provided to you for
17 this order on September 30th, when Eric's
18 previous order was being picked up?

19 A. Could have been.

20 Q. Was that generally how the
21 transactions with Eric were conducted
22 during the time that you did business with
23 him?

24 A. Yes.

25 Q. So when he gave you a check

1 P. VEDAWALA

2 from September 30th, it was because he was
3 picking up --

4 A. Let me correct myself.

5 Q. Sure.

6 A. Sometimes the check was being
7 deposited in Chase Bank account. By
8 looking at the endorsement, I see it's not
9 my handwriting so they maybe deposited a
10 check.

11 Q. Did you give Eric your account
12 information to be able to do that?

13 A. I would have been.

14 Q. Is that part of your business
15 practice where you allow customers to
16 deposit checks directly into your account?

17 A. Yes.

18 Q. Looking here at the
19 endorsement, you think this is one of those
20 checks?

21 A. Yes.

22 Q. Looking here at the next
23 page --

24 A. This is my endorsement.

25 Q. Directing here to the page that

1 P. VEDAWALA

2 says 2 of 50 after KG29, the stamp is what
3 you're talking about?

4 A. Yes.

5 Q. The stamp that says for deposit
6 only, Kush Gold and Gold Jewelry d/b/a
7 Ruchi Gems?

8 A. That's my endorsement.

9 Q. So when your office deposits a
10 check, that's how you stamp the check?

11 A. Yes.

12 Q. And anything with a handwriting
13 stamp would have been deposited by a client
14 directly?

15 A. Could have been.

16 Q. That's what you, sitting here
17 today, believe what was the likely
18 scenario, right?

19 A. I just saw it and it looks like
20 it is.

21 Q. After the gold was ready, how
22 would you notify Eric that the gold was
23 ready for pickup? Would it be you, would
24 it be someone else?

25 A. They call me.

1 P. VEDAWALA

2 Q. Who calls you?

3 A. Eric.

4 Q. When the gold is ready for
5 pickup?

6 A. To send a check and pick up the
7 gold, same time.

8 Q. Let me take a step back for a
9 second. When you get paid on these orders,
10 you generally get the gold from a refinery,
11 right?

12 A. Yes.

13 Q. How long does it take for you
14 to get the gold from the refinery to your
15 store?

16 A. Next day.

17 Q. Was Eric aware that it took you
18 only one day to get the gold?

19 A. No.

20 Q. How would Eric know that the
21 gold was ready?

22 A. He never ask. Since 2016, he
23 picks up at the second time of delivering
24 the payment, he picks up the gold which was
25 clear, check was clear.

1 P. VEDAWALA

2 Q. I'm saying how does he know
3 that the gold is ready?

4 MR. PASCHALIDIS: Objection.
5 You can answer.

6 A. He place a new order. At the
7 same time, he pays for the new order and he
8 picks up the old order.

9 Q. I understand. And when you
10 placed the new order, did you ever tell him
11 your prior order is ready?

12 A. No.

13 Q. He just knew it was ready?

14 MR. PASCHALIDIS: Objection.
15 You can answer.

16 A. It's ready. I give the gold
17 when the check clears. I keep the gold
18 ready.

19 Q. How long would you wait for
20 checks from Eric's companies before it was
21 cleared to give him the gold?

22 A. Normally it clears the next
23 day.

24 Q. So Eric's checks you would get
25 the next day. As soon as the amount hit in

1 P. VEDAWALA

2 your account, you would --

3 A. Next day.

4 Q. The next day, that's when you
5 would be willing to give the gold for the
6 purchase?

7 A. Only then I can purchase the
8 gold. I cannot purchase the gold on the
9 not available funds in my bank. I purchase
10 the gold the next day when the fund is
11 available.

12 Q. So just so I understand the
13 order, there's an order placed, there's a
14 check that's then given to you for the
15 money and the order. Once those funds are
16 available in your bank account, that's when
17 you purchase the gold from the refinery,
18 and then as soon as you get the gold back
19 from the refinery then it's ready for the
20 customer's pick-up?

21 A. Correct.

22 Q. Looking here at the summary on
23 Exhibit 5, for the first three pages, do
24 you see the frequency at which gold was
25 purchased by Eric?

1 P. VEDAWALA

2 A. Where is one week, two week,
3 three days?

4 Q. Now when I say Eric, Exhibit 5
5 is about Blue Tech Supplies, correct?

6 A. Yes.

7 Q. But all the checks, all of the
8 -- when you got payment from Blue Tech
9 Supplies, that was your understanding that
10 that was Eric?

11 A. Yes.

12 Q. I'm going to show you what is
13 now going to be marked as Exhibit 6.

14 MR. VANUNU: Let's mark this as
15 Exhibit 6.

16 (Whereupon, Sunstone Services
17 Summary of Transactions was marked as
18 Exhibit 6 for identification as of
19 this date by the Reporter.)

20 Q. Sir, I'm show you what's been
21 marked for identification as Exhibit 6.
22 This is a copy of the summary of
23 transactions for Sunstone Services, right?

24 A. Correct.

25 Q. And for Sunstone Services, it

1 P. VEDAWALA

2 was your understanding that all of these
3 transaction were actually for Eric as well,
4 correct?

5 A. Correct.

6 Q. And attached here to the
7 summary you see also invoices and checks
8 for each invoice?

9 A. Yes.

10 Q. And as we discussed before,
11 this summary here was created as part of
12 the regular course of Kush's business,
13 right?

14 A. Yes.

15 Q. Now how would the gold ordered
16 by Eric be picked up or delivered?

17 A. By hand.

18 Q. Who would come pick it up?

19 A. Different people.

20 Q. Do you know the name of any of
21 these individuals?

22 A. No.

23 Q. Do you know what any of these
24 people looked like?

25 A. If I see them, one or two

1 P. VEDAWALA

2 persons.

3 Q. Was there any of these
4 individuals -- were there any individuals
5 that regularly appeared to pick up the gold
6 ordered for Eric?

7 A. I could say yes, if I see them.

8 Q. Did Eric ever come pick up the
9 gold in 2021 or 2022?

10 A. Maybe once. I don't remember.

11 Q. Showing you, for example, on
12 page 4, of Exhibit 6 that's in front of
13 you, you see here an invoice from 9/9/2021
14 for Sunstone Services?

15 A. 9/9? Okay.

16 Q. Do you see that?

17 A. Yes.

18 Q. Do you see a signature on the
19 bottom?

20 A. Yes.

21 Q. Whose signature is that?

22 A. His signature is not at the
23 time of picking up the gold.

24 Q. What is that signature from?

25 A. The person who picks up the

1 P. VEDAWALA

2 gold, he takes the invoices. When he come
3 next time to bring the check, he bring the
4 signed invoice to show that gold has been
5 delivered.

6 Q. So when the gold was ready for
7 pick up --

8 A. With invoice.

9 Q. You would deliver it with an
10 invoice. That was not signed?

11 A. No, they bring the signature
12 with the next purchase order and the
13 payment.

14 Q. When the gold was picked up,
15 wouldn't the payment for the next order be
16 with it?

17 A. Payment for next order would be
18 with it but the invoice is not ready at
19 that time because we don't have the price
20 yet.

21 Q. So the invoice is not provided
22 at the time of the pick up?

23 A. Signature is not at the time of
24 pickup.

25 Q. Looking at this exhibit here so

1 P. VEDAWALA

2 we don't get confused. Looking here at the
3 document that has the Bates stamp number of
4 KG00071, this order was placed around
5 September 9th, 2021?

6 A. Correct.

7 Q. You were also paid on that
8 order around September 9th, 2021, right?

9 A. Correct.

10 Q. The next page would have been
11 the payments that you received for this
12 item?

13 A. Correct.

14 Q. And when you placed the order
15 and created this invoice, and placed the
16 paid stamp on it, the invoice was not
17 signed, right?

18 A. No.

19 Q. When the order was delivered,
20 this order specifically, was ready for
21 pickup and delivered, the person who picked
22 up the gold did not sign this document,
23 this invoice?

24 A. To bring back the signed
25 invoice, next pickup time.

1 P. VEDAWALA

2 Q. So when you delivered the gold
3 for this invoice, when this invoice right
4 here, the one for September 9th, 2021 was
5 delivered, an unsigned invoice would go
6 with the gold?

7 A. Yes, previous purchase invoice.

8 Q. Right. The invoice and the
9 gold would go together?

10 A. Yes.

11 Q. For someone to sign when they
12 received the gold?

13 A. Yes.

14 Q. How do you know that the
15 courier was related to Eric?

16 A. When they say we are sending a
17 new payment, at that time we give them
18 invoice. Next time they come, they bring
19 the signed invoice.

20 Q. Yes but my question to you is
21 when you delivered the payment of gold, how
22 is it that you know that the person who's
23 picking up the gold is related to Eric, or
24 is connected to Eric, and you're not giving
25 it to someone else?

1 P. VEDAWALA

2 A. It's difficult for them to play
3 around, whoever come to pick up the gold.
4 They bring the check, I know this check is
5 for the same people who are picking up the
6 gold, and it's a routine. It's not a one
7 time transaction. One time transaction, I
8 have to make a phone call, can I give this
9 gold to this person.

10 Q. Did you ever have to do that
11 for Eric's people?

12 A. Maybe in '17 or '16, in the
13 beginning.

14 Q. But not in 2021 or 2022?

15 A. No, I don't think so.

16 Q. Looking here at example, you
17 see here it says quantity 63.9511 at this
18 invoice we were looking at, page 4?

19 A. Yes.

20 Q. Is that quantity, is that in
21 ounces?

22 A. Ounces.

23 Q. So how would that be provided,
24 in coins, in bars, in grains, in some other
25 method?

1 P. VEDAWALA

2 A. So can I have a pen please?

3 Q. You can write on there if you
4 need to.

5 A. I don't want to ruin this --

6 Q. You can write there right in
7 the middle. That's fine. I'd rather you
8 do it on a piece of paper that can be
9 marked as an exhibit. You can do it on
10 there.

11 A. 32.15 is one kilo. So kilo bag
12 or kilo bar is 32.15.

13 Q. Okay.

14 A. 63.95 minus this will be grain
15 loose. This will be kilo, grain or bar.

16 Q. And that's generally the
17 calculation for how you would do it each
18 time?

19 A. Depends on how much money it
20 is.

21 Q. There's no different price for
22 whether it's a bar or coin or grain, is
23 there?

24 A. Coin is more money but when
25 it's grain, it's less money. Money means

1 P. VEDAWALA

2 premium, coin is more premium. The grain
3 is less premium.

4 Q. And it's all the same 24 carat
5 gold?

6 A. 24 carat. The fabrication
7 charges are on a smaller denomination.

8 Q. So these signatures were at
9 some point you got the invoice back after
10 providing the order, and that's how you
11 have the signatures on them?

12 A. Yes.

13 Q. Did you ever have any cameras,
14 or any records, or photocopies of any
15 licenses or documents of any kind that
16 would identify the people who would pick up
17 the gold on Eric's behalf?

18 A. No.

19 Q. I want to draw your attention
20 to Exhibit 4. No, I'm sorry Exhibits 5 and
21 6 that I believe are in front of you.
22 Let's look, for example, at November 22nd.
23 Do you see that, on exhibit, I believe,
24 it's 5. Do you see on the statement there
25 looks to be two invoices from

1 P. VEDAWALA

2 November 22nd?

3 A. Yes.

4 Q. One for, looks like to be
5 \$100,000, and the second one for about
6 \$150,000?

7 A. Correct.

8 Q. That means that both these
9 invoices were for orders placed on the same
10 day?

11 A. Correct.

12 Q. Was that a common occurrence,
13 where Eric would have orders placed on the
14 same day, multiple orders placed on the
15 same day?

16 A. Yes.

17 Q. Why multiple orders as opposed
18 to one large order?

19 MR. PASCHALIDIS: Objection.

20 You can answer.

21 A. I have no idea.

22 Q. Is there any benefit
23 financially to placing two smaller orders
24 versus one large order?

25 MR. PASCHALIDIS: Same

1 P. VEDAWALA

2 objection. You can answer.

3 A. No.

4 Q. Do you see here, looking at the
5 statement on Exhibit 5, do you see there
6 were orders, looks to be two orders on
7 November 15th, 2021. Do you see that?

8 A. Yes.

9 Q. And looking at the next exhibit
10 on Exhibit 6, looks to also be two orders
11 on November 15th, 2021. Do you see that?

12 A. Yes.

13 Q. Do you know why there were four
14 orders placed, on that particular day, by
15 Eric?

16 MR. PASCHALIDIS: Objection.

17 You can answer.

18 A. I don't know.

19 Q. Do you recall ever speaking
20 with Eric, or anyone on his behalf, having
21 multiple orders on the same day?

22 A. No.

23 Q. Did Eric ever tell you what he
24 does for a living?

25 A. No.

1 P. VEDAWALA

2 Q. Did you ever have any personal
3 conversations with Eric at all, during the
4 time that you had spoken to him?

5 A. No.

6 Q. Do you know where he lives?

7 A. No.

8 Q. Has he ever issued a check to
9 you that bounced?

10 A. No.

11 Q. Do you know if he's working
12 with other people who are -- do you know if
13 he has any partners that he's buying the
14 gold for?

15 A. No.

16 Q. Is the gold that you provide
17 from the refineries traceable at all,
18 meaning does it have any unique identifying
19 numbers or information?

20 A. No.

21 Q. Do you provide, with your
22 orders, any certificates of authenticity to
23 show that the grains or the bars are, in
24 fact, pure 24 carat gold?

25 A. It's sealed. It has a number

1 P. VEDAWALA

2 on it. When it's open in a fraction, it
3 goes in a plastic bag.

4 Q. Who creates the seal?

5 A. Refineries.

6 Q. And that seal is to show any
7 jeweler that that's authentic 24 carat
8 gold?

9 A. Yes.

10 Q. And anyone who would practice
11 in the jewelry business would be aware of
12 those types of seals, generally speaking?

13 A. Yes.

14 Q. Are you aware of someone by the
15 name of Mark Vine?

16 A. No.

17 Q. Are you aware of someone by the
18 name of Elena Borisovna Stybel?

19 A. No.

20 Q. Are you aware of someone by the
21 name of Sergey Kalitenko?

22 A. No.

23 Q. Did Eric ever introduce you to
24 new clients of yours or --

25 A. I can't remember.

1 P. VEDAWALA

2 Q. Did anyone ever say to you that
3 they were referred to you by Eric?

4 A. Long back, I think yes. I
5 don't want to say exactly.

6 Q. Is there any specific customer
7 you could remember now that was referred to
8 you by Eric?

9 A. No, I don't remember.

10 Q. And these summaries, would it
11 be fair to say that these summaries listed
12 in the front, first few pages of Exhibit 5
13 and Exhibit 6, accurately reflect all of
14 the transactions that occurred between Kush
15 and Eric, through Blue Tech and Sunstone,
16 during the time period of the subpoena?

17 A. (No answer).

18 Q. Let me rephrase this question
19 in another way.

20 A. Yes.

21 Q. Looking here at Exhibit 5, you
22 have the first three pages is the
23 summary --

24 A. I could say this is a
25 transaction between Kush and Blue Tech,

1 P. VEDAWALA

2 transaction between Kush and Sunstone
3 Services.

4 Q. Right. Now --

5 A. No more transaction between
6 this.

7 Q. Let me rephrase the question
8 first. Looking here at the Blue Tech one,
9 is that the one in front of you?

10 A. Yes.

11 Q. In Exhibit 5, these three pages
12 reflect all invoices and all payments from
13 Blue Tech Supplies to Kush Gold, between
14 the period here of September 30, 2021 and
15 July 1, 2022?

16 A. Correct.

17 Q. The same here goes for
18 Exhibit 6. The first three pages of
19 invoices here represent all orders and
20 payments, all orders by Sunstone Services,
21 and all payments made from Sunstone
22 Services to Kush Gold, between
23 September 9th of 2021 and May 10, 2022?

24 A. Correct.

25 MR. VANUNU: Let's mark this as

1 P. VEDAWALA

2 7.

3 (Whereupon, Copies of Checks
4 was marked as Exhibit 7 for
5 identification as of this date by the
6 Reporter.)

7 Q. I'm going to show you what's
8 been marked for identification as
9 Exhibit 7, which is a three-page document,
10 each page has three checks. Take a look at
11 that and let me know when you're done. You
12 can look at all three pages.

13 A. Yes, I see this.

14 Q. Now do you see each page has a
15 check on the top portion and the
16 endorsement on the bottom, right?

17 A. Correct.

18 Q. And the endorsement on the
19 first two pages on the bottom says Ruchi
20 Gems and that's handwritten, right?

21 A. Yes.

22 Q. And that's not the way how you
23 deposit the checks in your account,
24 correct? Looking at the first two pages.

25 A. But it looks like it went to my

1 P. VEDAWALA

2 account.

3 Q. I understand that but they
4 don't have the stamp, right?

5 A. (No answer).

6 Q. I'm going to represent to you
7 that these did go into your account.

8 A. Okay.

9 Q. Do you know why there would be
10 three checks that were issued between April
11 25, 2022 and May 2, 2022, one for 66,000,
12 one for 28,000, and one for 44,000, that
13 were deposited into your account but do not
14 have a corresponding invoice on the list we
15 went over?

16 MR. PASCHALIDIS: Objection.

17 You can answer.

18 A. I can check in my account
19 system and find out.

20 Q. Sitting here today, do you know
21 why these checks were issued to your
22 account?

23 A. Purchasing the gold.

24 Q. Now you mentioned you kept --

25 A. This could have been an error.

1 P. VEDAWALA

2 Q. Okay. You mentioned that you
3 kept -- you have some gold in stock that
4 you keep with you in your office, correct?

5 A. Yes.

6 Q. Do you keep cash in your office
7 as well?

8 A. Yes.

9 Q. Do you keep more than \$100,000
10 in cash in your office?

11 A. No.

12 Q. Do you keep more than \$50,000
13 in cash?

14 A. During the season, yes.

15 Q. And the season meaning of
16 Diwali?

17 A. Diwali and Christmas. This I
18 can definitely find out. If the bank is
19 not reconciled yet because we are filing
20 taxes for 2022 maybe this month or next
21 month.

22 Q. Okay. When is Diwali? What
23 time of the year is it?

24 A. Every year it's a different
25 month. Last year it was November 4th or

1 P. VEDAWALA

2 October 26th, something like that.

3 Q. Is it generally in the fall
4 like October, November?

5 A. Yes.

6 Q. And it's never in the spring,
7 it's always in the fall?

8 A. No.

9 Q. So in 2021, it would have been
10 in the fall as well?

11 A. Yes, October or November, all
12 the time.

13 Q. Did you ever exchange checks
14 for cash from any of the checks that were
15 provided to you from Blue Tech Supplies or
16 Sunstone Services?

17 A. No.

18 Q. I'm going to show you now a
19 check that's going to be marked for
20 identification as Exhibit 8.

21 (Whereupon, Copy of Check from
22 Sunstone Services was marked as
23 Exhibit 8 for identification as of
24 this date by the Reporter.)

25 Q. This is check issued to Ruchi

1 P. VEDAWALA

2 Gems from Sunstone Services. Do you see
3 that?

4 A. Yes.

5 Q. I'm going to represent to you
6 that check was deposited in your account
7 and is not referenced in the list that we
8 were discussing before, as it relates to
9 Sunstone Services and Kush Gold. Do you
10 know why this check was provided to Kush
11 Gold?

12 A. Purchasing the gold.

13 Q. And if there's no invoice in
14 the list, why would there be a check but no
15 invoice in the list?

16 A. Should have been an error.

17 Q. And are those errors something
18 that you could go into your office and look
19 into further?

20 A. Yes.

21 (Whereupon, a short recess was
22 taken.)

23 Q. So looking here at this invoice
24 on Exhibit 6, there's two invoices on
25 Exhibit 6 that are from 11/15. There's

1 P. VEDAWALA

2 that one and I believe the one on the next
3 page, or the page after, and then there's
4 also on Exhibit 5 there's another invoice
5 for 11/15. Do you see that?

6 A. Yes.

7 Q. So on that day, he ordered,
8 Eric ordered from the two companies it
9 looks like over 80 ounces on one invoice,
10 right? I'm looking at Exhibit 5.

11 A. This is 64 ounces.

12 Q. Over 64 ounces.

13 A. This is two kilos.

14 Q. It's two kilograms?

15 A. Yes.

16 Q. Okay.

17 A. That's more than a kilo, less
18 than one and a half kilo.

19 Q. This one is 80 ounces?

20 A. 80 ounces.

21 Q. Which is more than 64?

22 A. Yes.

23 Q. And then for one invoice and
24 then there's the next one had 69 ounces.
25 So in total, we're talking about over five

1 P. VEDAWALA

2 kilos of gold ordered on a single day?

3 A. Possibly.

4 Q. It's whatever the value of 69
5 plus 80 plus the other 60 something ounces,
6 right? And you say it was 32 ounces is a
7 kilogram?

8 A. (No answer).

9 Q. How would the gold that you
10 ordered, that volume of gold, let's say
11 it's five kilos in the various
12 denominations, of how it's purchased --

13 A. I don't order various
14 denominations now. Same day, I may have
15 more orders from different companies.

16 Q. Do you order it in one lump sum
17 or do you order each client individual
18 based on that specific amount?

19 A. So we have a system with the
20 pen and paper or maybe an extra sheet, how
21 many orders we have today. So today if we
22 have a 15-kilo order, including all those
23 people, we purchase in one shot.

24 Q. You make one purchase for 15
25 kilos?

1 P. VEDAWALA

2 A. 15 kilos means we make three or
3 four different lots, three kilo, three
4 kilo, three kilo, four kilos, something
5 like that.

6 Q. So the refinery splits up the
7 orders?

8 A. Yes.

9 Q. You place one order at the
10 refinery and you tell them to split --

11 A. They say how you want to split
12 it? So we can tell them today 15-kilo
13 order and make four different lots but five
14 kilos in a day is not a lot.

15 Q. It's not a lot?

16 A. No.

17 Q. And so someone just walks out
18 with what? How do they give it? Do you
19 put in a bag? Do you put it in like --

20 A. We have to put it in a bag.

21 Q. I'm just a little confused as
22 to someone walking out with a bar of gold
23 because I think of the Wild West.

24 A. No. They put it in a bag and
25 when I go downstairs to give it to

1 P. VEDAWALA

2 somebody, I put it in my bookbag.

3 Q. You put it in a backpack?

4 A. Yeah, a backpack and it's also
5 packed so when I put it out, it's not open.

6 Q. How is it packed?

7 A. It's in a UPS bag or a plastic
8 black color bag so you cannot see outside.

9 Q. How do you get the gold? Is it
10 shipped to you?

11 A. The building I'm in, they have
12 a Brink's, they have Malca-Amit, they have
13 Ferrari, and they have AIB Express. All
14 those four are secured high volume courier
15 services.

16 Q. For jewelry?

17 A. For jewelry, gold, diamonds and
18 everybody is in the same building.

19 Q. And that's how they send it to
20 you, through those couriers?

21 A. Yes.

22 Q. And is that shipping cost
23 included in the price of the gold that you
24 quote?

25 A. Yes.

1 P. VEDAWALA

2 Q. When was the last time Eric
3 contacted you to purchase gold?

4 A. Somewhere last year.

5 Q. Would it have been through
6 these companies or another company?

7 A. Could have been another
8 company. I'm not sure. I pulled out only
9 these invoices because this was on the
10 subpoena.

11 Q. I understand. Do you know
12 someone by the name of Sergey Kalitenko?

13 A. No.

14 Q. In the Kalitenko case, the
15 subpoena requested document as it relates
16 to two companies, Slonimer and Top Practice
17 Management. Do you recall that?

18 A. Yes.

19 Q. Do you recall providing us with
20 invoices as it relates to those two
21 entities?

22 A. Yes.

23 (Whereupon, Invoices
24 Transactions for Top Practice
25 Management and Slonimer was marked as

1 P. VEDAWALA

2 Exhibit 9 for identification as of
3 this date by the Reporter.)

4 (Whereupon, Sample of Slonimer
5 Invoices and Checks was marked as
6 Exhibit 10 for identification as of
7 this date by the Reporter.)

8 (Whereupon, Copies of Invoices
9 and Payments for Top Practice
10 Management was marked as Exhibit 11
11 for identification as of this date by
12 the Reporter.)

13 Q. I'm showing you what's been
14 marked for identification as Exhibit 9. Do
15 you see this document that's 107 pages?

16 A. I send this by e-mail so I
17 don't have copies of these things with me.
18 I remember all these things.

19 Q. Do you remember providing these
20 documents in response to the subpoena?

21 A. Yes.

22 Q. And are these the invoices
23 transactions for Top Practice Management
24 and Slonimer?

25 A. Correct.

1 P. VEDAWALA

2 Q. Do you recall taking orders
3 from either of these companies?

4 A. I don't recall.

5 Q. Do you know who the contact
6 person was at these companies?

7 A. I have to find out.

8 Q. Do you remember someone by the
9 name of Steve Dell?

10 A. I think so.

11 Q. What do you remember about
12 Steve?

13 A. I don't remember when he
14 started working with me but he would buy
15 gold and would pick up the gold; send
16 someone, not always the same courier.

17 Q. Is that common where someone
18 would be picking up gold from you and it
19 would be various delivery or various
20 couriers would pick up gold?

21 A. It's common. For myself also,
22 I don't go pick up myself, sometimes
23 different people would pick up gold.

24 Q. Is it a delivery service or
25 individuals?

1 P. VEDAWALA

2 A. Individuals.

3 Q. So Steve Dell goes by another
4 name. His name is Israel Deliatizky,
5 D-E-L-I-A-T-I-Z-K-Y.

6 A. I don't know this name.

7 Q. The name Steve Dell sounds
8 familiar?

9 A. Rings a bell.

10 Q. Were you working with Steve
11 before 2021?

12 A. I think so.

13 Q. Were you working with him with
14 any other entity besides Top Practice
15 Management and Slonimer?

16 A. I don't remember.

17 Q. Are the circumstances for
18 ordering gold through these entities, Top
19 Practice Management and Slonimer, were they
20 any different than what we had discussed as
21 it related to Blue Tech Supplies and
22 Sunstone?

23 A. I don't think so.

24 Q. So the ordering process was the
25 same?

1 P. VEDAWALA

2 A. All the clients are the same.

3 Q. So you got a phone call for an
4 order for gold?

5 A. Yes.

6 Q. And then you would create an
7 order based on the value of that day?

8 A. There are some clients they say
9 I need 5 kilos or 10 kilos. So they, the
10 amount is, sometimes they say I want to by
11 about 50,000 or 100,000; that much gold
12 goes to them.

13 Q. How would Steve contact you?
14 Do you have a phone number for Steve?

15 A. No, I have to find out. I
16 don't remember if I have his number. They
17 maybe calling at my office.

18 Q. Do you have like a file on each
19 client where you would have some their
20 contact information or anything to that
21 effect?

22 A. No file. We may have a number.
23 There's only invoice. If it's not an
24 invoice, then when they call to pick up we
25 take the order. Most of the clients, I

1 P. VEDAWALA

2 don't have the numbers.

3 Q. You don't have a way to be able
4 to contact them if you need to?

5 A. Yes.

6 Q. You do. And where would that
7 be included?

8 A. We have caller ID when they
9 call and we call them back, if we want to
10 call them back.

11 Q. So if there was an issue with
12 payment, where would you look for the
13 contact information to call them, through
14 caller ID or something else?

15 A. Who, the people who are
16 regular?

17 Q. Yes.

18 A. Checks never bounced. Whoever
19 checks is bounced, we contact them. And
20 the check bounce is mostly the store
21 owners. Store owners numbers, we have.

22 Q. Do you have contact information
23 for Steve Dell in your office?

24 A. I can find out.

25 Q. Do you recall how you were

1 P. VEDAWALA

2 introduced to Steve Dell?

3 A. I don't recall.

4 Q. Do you know how it was that
5 these invoices were signed?

6 A. Same way. They take the
7 delivery and bring the signed invoice back
8 next time.

9 Q. Was this the same procedure
10 where when an order would be ready for
11 pickup, you got a check for another order?

12 A. Mostly or if I look in the
13 endorsement, I can tell if it was -- I
14 don't see endorsement here.

15 Q. Yes, there was no summary
16 provided.

17 A. I mean we can see the same way
18 with the endorsement. They can deposit in
19 my bank account but sometimes we get the
20 wires too.

21 Q. Let's take a look at
22 Exhibit 10. Exhibit 10 is the sample of
23 invoices and checks as it relates to
24 Slonimer.

25 A. This is not my handwriting.

1 P. VEDAWALA

2 Q. So you're looking at page 2?

3 A. Yeah. So this was deposited in
4 the bank. This is my endorsement.

5 Q. I see. So most of the checks
6 there seem to be deposited directly into
7 your account?

8 A. I saw first few like that or
9 they will mail it with the endorsement
10 also. It happens sometimes.

11 Q. That you get mailed checks?

12 A. Sometimes.

13 Q. Did you ever convert any of
14 these orders for cash?

15 A. No.

16 Q. I'm going to show you now
17 Exhibit 11. These are copies of invoices
18 and payments as it relates to Top Practice
19 Management.

20 A. Yeah, here same thing?

21 Q. No, this one has payments with
22 it too.

23 A. This is not my endorsement.

24 Q. And if it's not your
25 endorsement, what does that mean, that

1 P. VEDAWALA

2 someone deposited a check on your behalf?

3 A. This company must have
4 deposited check in my bank account.

5 Q. Do you know if the person who
6 contacted to order gold bullion for you
7 from this company, Top Practice Management
8 and Slonimer, are the same individual?

9 A. No, it's not the same.

10 Q. From Slonimer, from Exhibit 10
11 and Exhibit 11?

12 A. You're talking about Sunstone?

13 Q. I'm talking about Exhibit 11,
14 which talks about Top Practice Management,
15 and Exhibit 10, which talks about Slonimer.

16 A. It could have been same. Let
17 me tell you something.

18 Q. Sure.

19 A. Customer calls me and he need
20 five kilos gold. So they give two checks,
21 or five checks, or one check. When they
22 get the check, I know which company it is.
23 That's why we do not make invoice until we
24 receive payment.

25 Q. So the name you put on the

1 P. VEDAWALA

2 invoice for the company name is whatever
3 name is on the check that you received?

4 A. Correct.

5 Q. So you could get multiple
6 checks for the same person, issued from
7 separate accounts on a single day for a
8 single order?

9 A. Even today we get like this.

10 Q. And in your system, you
11 indicate it as different invoices to
12 different entities based on who's the name
13 on the check?

14 A. Correct.

15 (Whereupon, Copies of Checks
16 was marked as Exhibit 12 for
17 identification as of this date by the
18 Reporter.)

19 Q. I'm going to show you a bunch
20 of checks that were deposited in your
21 account from a company call Gelcore Records
22 Inc. This is marked as Exhibit 12. Just
23 take a look at that.

24 A. Where is my endorsement?

25 Q. The first page is your

1 P. VEDAWALA

2 endorsement.

3 A. Are this -- I think this name I
4 saw on that new page I just --

5 Q. Correct. It is.

6 A. So I have to check my records.
7 I cannot answer correctly on this.

8 Q. And if you can't answer right
9 now, then that's fine but I still want to
10 ask the question first. Sitting here
11 today, do you recall whether or not the
12 Steve we were discussing, Steve Dell, is
13 the same person who would be giving you
14 orders as it related to this company listed
15 on Exhibit 12?

16 A. I don't remember that.

17 Q. Do you recall --

18 MR. VANUNU: We'll mark the
19 next exhibit as Exhibit 13.

20 (Whereupon, Copies of Checks
21 from MED Diagnostic Management was
22 marked as Exhibit 13 for
23 identification as of this date by the
24 Reporter.)

25 Q. I'm showing you checks issued

1 P. VEDAWALA

2 by MED Diagnostic Management that were
3 issued to you, to Ruchi Gems, by another
4 company that's owned by Steve Dell. Do you
5 know if these checks were related to orders
6 as well?

7 A. From Steve Dell, could be. I
8 don't know. I have to check my records.

9 Q. Let me ask it to you this way.
10 If they were not for orders, do you know
11 what you would have receive payments for to
12 Ruchi Gems?

13 A. I receive the payment only for
14 orders.

15 Q. Over the course of time, that
16 you worked with Eric for orders, for
17 gold --

18 A. Over the time?

19 Q. Over the course of the time
20 period that you've worked with Eric, for
21 orders for gold, how much, approximately,
22 gold has he ordered from you?

23 A. I cannot put the numbers
24 together. Looking at this, we have to make
25 a total.

1 P. VEDAWALA

2 Q. Do you know someone by the name
3 of Roslyn Ehrlich (phonetic)?

4 A. Is it in the new paper?

5 Q. It is.

6 A. I would have to go check it
7 first.

8 Q. Does the name, sitting here
9 today ring a bell, does it sound familiar?

10 A. First name I know.

11 Q. Roslyn, do you know someone
12 named Roslyn?

13 A. Could be.

14 Q. Do you ever deal with customers
15 who are Russian from Brooklyn?

16 A. I don't know the locations.

17 Q. Did you ever deal with
18 customers who have a Russian accent?

19 A. Yes.

20 Q. A lot or a few?

21 A. A lot. 47th Street, maybe 25,
22 30.

23 Q. Do you ever do any research on
24 any of the individual companies that give
25 you the checks that buy orders from you for

1 P. VEDAWALA

2 gold bullion?

3 A. I want to make sure the checks
4 are paid.

5 Q. Right.

6 A. Besides that, it's people come
7 in combination.

8 Q. And to make sure the check is
9 paid, you just wait for the funds to clear?

10 A. Correct.

11 Q. And that's the approximate
12 three days that we discussed earlier?

13 A. Yes.

14 Q. I'm going to show you some more
15 checks.

16 (Whereupon, Copies of Checks
17 from Depark Wholesale was marked as
18 Exhibit 14 for identification as of
19 this date by the Reporter.)

20 (Whereupon, Checks from Cash
21 New Construction Corp were marked as
22 Exhibit 15 for identification as of
23 this date by the Reporter.)

24 (Whereupon, Checks from Eco
25 Hillone Suppliers was marked as

1 P. VEDAWALA

2 Exhibit 16 for identification as of
3 this date by the Reporter.)

4 (Whereupon, Checks from Gem X
5 Media Solutions was marked as Exhibit
6 17 for identification as of this date
7 by the Reporter.)

8 (Whereupon, Check from Key
9 Prime Services Corp. was marked as
10 Exhibit 18 for identification as of
11 this date by the Reporter.)

12 Q. I'm showing you what's been
13 marked for identification as Exhibit 14.
14 These are checks from a company called did
15 Depark (phonetic) Wholesale Supplies that
16 were deposited in Ruchi Gems's bank
17 account.

18 A. I'm not prepared for this but
19 it's my endorsement.

20 Q. I understand. I'm just asking
21 you, sitting here today, if you recall the
22 person who contacted you regarding any
23 potential orders for gold bullion on behalf
24 of this company?

25 A. I will give you correct answer

1 P. VEDAWALA

2 once I go check everything there.

3 Q. These are just the samples.
4 This is not everything. It's just to see
5 if the names of the entities ring a bell.
6 It's the same question as it relates to
7 looking at Exhibit 15. Here's checks
8 issued to you from Cash New Construction
9 Corp.

10 These are more checks that were
11 issued and deposited into Ruchi Gems's
12 account. Looking at these checks, can you
13 recall anything about any orders that were
14 provided to you or why these checks would
15 have been issued to Ruchi Gems?

16 A. Currently no.

17 Q. Same question as it relates to
18 Exhibit Number 16, which relates to an
19 entity called Eco Hillone Suppliers, E-C-O
20 H-I-L-L-O-N-E, Suppliers Inc. Do you
21 recall anything about the person who issued
22 those checks to Ruchi Gems?

23 A. I have not searched on these
24 things, not yet.

25 Q. I'm going to show you what's

1 P. VEDAWALA

2 been marked for identification as
3 Exhibit 17, checks from a company called
4 Gem X Media Solutions. Do you recall who
5 issued those checks to you and for what
6 purpose they were for?

7 A. I don't recall. I will have to
8 check.

9 Q. And the last question on these
10 checks here is Exhibit 18, for a check from
11 Key Prime Services Corp. to Ruchi Gems. Do
12 you know who would have issued that check
13 to you and under what purpose?

14 A. Currently I cannot answer this.

15 Q. And for these questions that
16 you cannot answer, you have to go look at
17 your records to figure out what the purpose
18 of these checks were for?

19 A. Purpose has to be gold.

20 Q. And who the contact person was
21 for these people?

22 A. That I will find out.

23 Q. So in your office, you have a
24 way to look at these checks and find the
25 orders and indicate who the contact person

1 P. VEDAWALA

2 was?

3 A. Yes.

4 Q. And with that information are
5 you able to identify what phone numbers or
6 contact information those individuals --

7 A. Correct.

8 Q. -- gave you as it relates to
9 those orders?

10 MR. PASCHALIDIS: Wait until
11 the question is finished before you
12 answer.

13 Q. You have to wait until I finish
14 asking the question. It's fine.

15 A. I cannot answer right now.

16 Q. At your office, where you have
17 your records, are you able to determine,
18 based on checks that were issued to Ruchi
19 Gems, what orders were provided and who
20 made the request for orders?

21 A. I will answer this later.

22 Q. After you've had a chance to
23 look?

24 A. After I go back to office.

25 Q. Okay. Do you know someone by

1 P. VEDAWALA

2 the name the of Joseph DuMouchelle?

3 A. No.

4 Q. Did you ever have a partner by
5 the name of Joseph DuMouchelle?

6 A. It doesn't ring a bell but I
7 have to check back.

8 Q. Is there any other Kush Gold &
9 Jewelry? Do you know of any other
10 businesses that went by Kush Gold &
11 Jewelry?

12 A. Not that I know of.

13 Q. Has that been your entity since
14 2002?

15 A. 2002.

16 Q. And you're incorporated in the
17 State of New York?

18 A. Yes.

19 Q. Does Kush Gold & Jewelry have
20 its own tax identification number?

21 A. Yes.

22 Q. Did you ever get into business
23 with someone from the state of Michigan?

24 A. Maybe.

25 Q. Did you ever have a business

1 P. VEDAWALA

2 partner from Michigan?

3 A. Me?

4 Q. Yes you.

5 A. No.

6 MR. VANUNU: Give me one
7 minute.

8 (Whereupon, a short recess was
9 taken.)

10 MR. VANUNU: Sir, I don't have
11 any other questions for you at the
12 moment so thank you for your time.
13 However, I will say that based on our
14 conversation here today, there are
15 going to be certain things, items,
16 documents, that I am going to put in
17 requests. I'll put it in writing and
18 send it to your lawyers based on the
19 information here.

20 And I can just tell you right
21 now, as a heads up, those will
22 include the contact information for
23 the people whose checks we went over
24 that you weren't sure about;
25 potentially the contact information

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P. VEDAWALA

for Steve Dell and Top Practice
Management and Slonimer, for those
invoices, and potential invoices for
some of the checks that were
deposited in Ruchi Gems's account.

THE WITNESS: Which was not
connected --

MR. VANUNU: Which was not
connected to the original request.

THE WITNESS: That's a
bookkeeping error.

MR. VANUNU: So we will follow
up in writing and that's it. Thank
you for your time.

(Whereupon, at 2:50 P.M., the
Examination of this witness was
concluded.)

° ° ° °

1 P. VEDAWALA

2 D E C L A R A T I O N

3
4 I hereby certify that having been
5 first duly sworn to testify to the truth, I
6 gave the above testimony.

7
8 I FURTHER CERTIFY that the foregoing
9 transcript is a true and correct transcript
10 of the testimony given by me at the time
11 and place specified hereinbefore.

12
13
14

15 PARESH VEDAWALA

16
17
18 Subscribed and sworn to before me
19 this _____ day of _____ 20____.

20
21

22 NOTARY PUBLIC

P. VEDAWALA

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P . VEDAWALA

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P. VEDAWALA

C E R T I F I C A T E

STATE OF NEW YORK)
: SS.:
COUNTY OF NEW YORK)

I, ENRIQUE ALVARADO, a Notary Public
for and within the State of New York, do
hereby certify:

That the witness whose examination is
hereinbefore set forth was duly sworn and
that such examination is a true record of
the testimony given by that witness.

I further certify that I am not
related to any of the parties to this
action by blood or by marriage and that I
am in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 11th day of April 2023.



ENRIQUE ALVARADO

ERRATA SHEET
VERITEXT/NEW YORK REPORTING, LLC

CASE NAME: Geico v. Kalitenko M.D. Sergey Et Al.

DATE OF DEPOSITION: 3/29/2023

WITNESSES' NAME: Paresh Vedawala

[illegible]

Paresh Vedawala

SUBSCRIBED AND SWORN TO BEFORE ME

THIS _____ DAY OF _____, 20__.

(NOTARY PUBLIC)

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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